

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT BLUEFIELD

ALORA S. HAMPTON,

Plaintiff,

v.

CIVIL CASE NO. 1:14-24505

CAROLYN W. COLVIN,
Commissioner of Social Security,

Defendant.

MEMORANDUM OPINION AND ORDER

By Standing Order, this action was referred to United States Magistrate Judge Cheryl A. Eifert for submission of findings and recommendations regarding disposition, pursuant to 28 U.S.C. § 636(b)(1)(B). (Doc. No. 4). Magistrate Judge Eifert submitted her Proposed Findings and Recommendation ("PF&R") to the court on August 17, 2015, in which she recommended that the district court affirm the final decision of the Commissioner, deny plaintiff's motion for judgment on the pleadings, grant defendant's motion for judgment on the pleadings, and dismiss this matter from the court's docket. (Doc. No. 16).

In accordance with the provisions of 28 U.S.C. § 636(b), the parties were allotted fourteen days, plus three mailing days, in which to file any objections to Magistrate Judge

Eifert's PF&R. The failure of any party to file such objections constitutes a waiver of such party's right to a de novo review by this court. Snyder v. Ridenour, 889 F.2d 1363 (4th Cir. 1989).

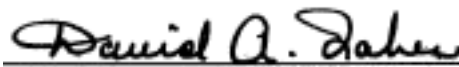
The parties failed to file any objections to the Magistrate Judge's PF&R within the allotted period. Having reviewed the PF&R filed by Magistrate Judge Eifert, the court adopts the findings and recommendation contained therein.

Accordingly, the court adopts the factual and legal analysis contained within the PF&R, **GRANTS**¹ defendant's motion for judgment on the pleadings, (Doc. No. 15), **DENIES** plaintiff's motion for judgment on the pleadings, (Doc. No. 14), **AFFIRMS** the final decision of the Commissioner, and **DIRECTS** the Clerk to remove this matter from the court's docket.

The Clerk is further directed to forward a copy of this Memorandum Opinion and Order to all counsel of record.

It is **SO ORDERED** this 9th day of September, 2015.

ENTER:

A handwritten signature in cursive script, reading "David A. Faber", is written over a horizontal line.

David A. Faber
Senior United States District Judge

¹ The parties actually filed briefs in support of their respective positions, but the court has construed these filings as motions for judgment on the pleadings.